

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) CRIMINAL No. 05-80025
v.)
) Hon. VICTORIA A. ROBERTS
TIMOTHY O'REILLY,)
)
)
ET AL.)
)
Defendant.)

DEFENDANT'S 12.2 NOTICE

The Defendant, by Counsel respectfully notifies that Government that should he be convicted of an offense for which death is a possible penalty, he intends to offer evidence to a mental disease or defect or other mental condition bearing on the issue of punishment hereafter ("expert mental health testimony").

The defendant will call experts who performed neurological examinations (EEG) of the defendant when he was approximately 8 and 9 years old. They did no clinical

interviews. The charts of those examinations will be provided upon request.

Respectfully submitted,

/s/Richard Kammen
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CERTIFICATE OF SERVICE

I certify that on the day of filing, I electronically filed the forgoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the United States Attorney's Office and all Counsel of Record.

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